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U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, NY 10007

December 16, 2021

By ECF

The Honorable Barbara Moses
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

MEMO ENDORSED

Re: *Barry v. United States of America, No. 21 Civ. 07684 (BCM)*

Dear Judge Moses,

This Office represents the United States of America (the “Government”) in this action brought under the Federal Tort Claims Act (“FTCA”), 28 U.S.C. § 1346.

I write respectfully on behalf of the parties to request an adjournment of the Initial Case Management Conference from January 26, 2022, to February 23, 2022, a corresponding extension of time for the parties to meet and confer in accordance with Fed. R. Civ. P.26(f) from January 5, 2022, to February 2, 2022, and a corresponding extension of time for the parties to file a Pre-Conference Statement from January 19, 2022, to February 16, 2022. The reason for the parties’ request is that at the present time, the parties’ deadline to meet and confer is January 5, 2022, before the Government’s January 6, 2022 deadline to respond to the complaint.

In addition, I respectfully write to request that the Initial Case Management Conference be conducted via teleconference. The reason for this request is because I am currently working remotely, and it would be burdensome for me to appear at the Initial Case Management Conference in person. Should the Court wish to conduct the Initial Case Management Conference in person, I will obtain coverage from another Assistant U.S. Attorney. Plaintiff consents to this request.

I thank the Court for its consideration of these requests.

Application GRANTED. SO ORDERED.

Barbara Moses
United States Magistrate Judge
December 16, 2021

Respectfully,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Elizabeth J. Kim
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